

## REMARKS

New claims are supported by the disclosure in paragraphs [0013] and [0015] of the specification.

Claim 17 was rejected was rejected under 35 USC 112, second paragraph. This rejection should be withdrawn in light of this Amendment.

Claims 1-10 and 16-20 were rejected as being obvious over MacLeod in view of FR '643. This rejection is respectively traversed.

Claim 1 is directed to a *system* for radially positioning a workpiece for electrochemical machining, the system comprising: a pressurized air chamber configured to contain pressurized air; and an expandable diaphragm configured to position the workpiece radially relative to an electrode assembly in response to the pressurized air being released into the pressurized air chamber, wherein the workpiece is positioned by the system to permit electrochemical machining of the electrode assembly. MacLeod teaches nothing about such a system having a pressurized air chamber and an expandable diaphragm configured to position the workpiece radially. MacLeod discloses a workpiece for electrochemical machining and an electrode assembly, but *not* a system as claimed, which even the Examiner has acknowledged on page 4, two lines from the bottom of the page of the Action.

Recognizing these deficiencies in MacLeod, the Examiner relies on FR '643 to fill the gaps in MacLeod. FR '643 is written in French. FR '643 is directed to a gripping a cylindrical body, in particular a can. FR '643 has absolutely nothing to do with a system for positioning a workpiece for electrochemical machining.

Abstract of FR2436643 available on Internet at

<http://v3.espacenet.com/textdoc?DB=EPODOC&IDX=FR2436643&F=0> states:

The device for gripping cans and locking them in position is used in an automatic processing machine. These devices must be such that they are able to grip the can (B) tightly without damaging its

surface. An elastic hollow toric ring (5) has therefore been provided, the internal cavity of which is selectively connected to a pressure source. The command for admission and release of the air into/from the ring is provided preferably via an inlet and external sealing valve (12) which may be operated either manually or by a cam provided in the automatic can-processing machine.

Applicant respectfully submits that the Examiner has used the language of claim 1 to characterize the device of FR '643, but this characterization is incorrect. On page 5, starting from line 1, the Examiner states that the locking device of FR '643 "comprises a pressurized fluid chamber (page 2 last paragraph) and an expandable diaphragm configured to position the workpiece radially in response to the pressurized fluid being released into the pressurized fluid chamber (Fig. 1 numeral 5)."<sup>1</sup> Compare the above statement with claim 1 which reads "a pressurized air chamber configured to contain pressurized air; and an expandable diaphragm configured to position the workpiece radially relative to an electrode assembly in response to the pressurized air being released into the pressurized air chamber." It is quite clear that the Examiner has simply restated the above quoted language of claim 1 with the exception of "relative to an electrode assembly" in alleging what FR '643 teaches.

Unfortunately, the Examiner has mischaracterized FR '643. The workpiece of claim 1 is "a workpiece for electrochemical machining." The expandable diaphragm of FR '643 is not configured to position such a claimed workpiece, but instead is for "gripping cans ... such that they are able to grip the can (B) tightly without damaging its surface." [See abstract of FR '643.] Also, claim 1 clearly recites "an expandable diaphragm configured to position *the workpiece* radially *relative to an electrode assembly* in response to the pressurized air being released into the pressurized air chamber." [Emphasis added.] The phrase "the workpiece" refers to "a workpiece for electrochemical machining" recited in claim 1, not to any workpiece in general. Applicant respectfully submits that it appears that the Examiner has treated the term "workpiece"

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<sup>1</sup> There is no numeral 5 in Figure 1 of FR '643. Numeral 5 is in Figure 2 of FR '643.

in claim 1 to read on any object such as a can disclosed in FR '643 as FR '643 nowhere discloses a workpiece for electrochemical machining. When claim 1 clearly recites "a workpiece for electrochemical machining," Applicant respectfully submits that it is *totally incorrect* to read the term "workpiece" on a can, which is *not* an object for electrochemical machining.

Applicant further respectfully submits that the Examiner has failed to consider a limitation regarding the system, namely, that the expandable diaphragm is configured to position the workpiece for electrochemical machining radially relative to an electrode assembly. Nowhere does the cited prior art *as a whole* disclose a system with this feature. The Examiner has acknowledged that "MacLeod does not explicitly teach the claimed pressurized air chamber and the claimed expandable diaphragm." See last two lines of page 4 of the Action. Also, even though FR '643 discloses an expandable diaphragm for gripping a can, it does *not* disclose "an expandable diaphragm *configured to position the workpiece radially relative to an electrode assembly*" as FR '643 does *not* disclose the claimed *workpiece radially or an electrode assembly* and because the expandable diaphragm of FR '643 is *not* configured to position the workpiece radially relative to an electrode assembly. In short, the prior art *as a whole* fails to disclose or suggest a system wherein the expandable diaphragm is configured to position the workpiece for electrochemical machining radially relative to an electrode assembly.

Furthermore, claims 1 and 16 have been amended to recite "wherein the workpiece is positioned by the system to permit electrochemical machining of the electrode assembly." This limitation is also not disclosed in the cited references *as a whole*. Also, the combination of both MacLeod and FR '643 would not have resulted in a system "wherein the workpiece is positioned by the system to permit electrochemical machining of the electrode assembly."

Thus, the obviousness rejection of claims 1 and 16 should be withdrawn.

Claims 2-10 and 17, 19 and 20 depend directly or indirectly from either claims 1 or 16. Thus, these dependent claims should also be allowable.

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In light of the above, a Notice of Allowance is respectfully solicited.

In the event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing attorney docket no. **146712017800**.

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Respectfully submitted,



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